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TN REGULATORY AUTHORITY  
DOCKET ROOM

January 31, 2003

The Honorable Sara Kyle, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

RE: Complaint of Ben Lomand Communications, Inc. against  
Citizens Telecommunications Company of Tennessee L.L.C.  
d/b/a/ Frontier Communications of Tennessee

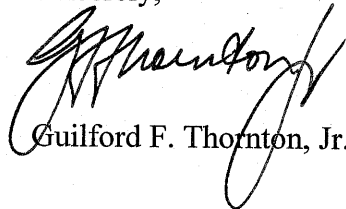
Docket No. 02-01221

Dear Chairman Kyle:

I am enclosing with this letter Citizens Telecommunications Company's First Set of Discovery Requests to Ben Lomand Communications, Inc. in this matter. Copies have been served on counsel for all parties in this matter.

Should you have any questions or require anything further at this time, please do not hesitate to contact me.

Sincerely,



Guilford F. Thornton, Jr.

cc: Mike Swatts  
Gregg Sayre

**BEFORE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE: TARIFF OF CITIZENS  
TELECOMMUNICATIONS COMPANY  
OF TENNESSEE TO OFFER SPECIAL  
PROMOTIONS WITHOUT ADVANCE  
NOTICE AND APPROVAL BY THE TRA**

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**Docket No. 03-00012 02-01221**

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**CITIZENS TELECOMMUNICATIONS COMPANY OF  
TENNESSEE, LLC'S FIRST SET OF DISCOVERY  
REQUESTS TO BEN LOMAND COMMUNICATIONS**

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Pursuant to TRA Rule 1220-1-2-.11, Citizens Telecommunications Company of Tennessee, LLC ("Citizens") is issuing these discovery requests to Ben Lomand Communications ("BLC").

- (a) If any response required by way of answer to these requests is considered to contain confidential or protected information, please furnish this information subject to the protective agreement executed by the parties in this docket.
- (b) If any response required by way of answer to these requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.
- (c) These requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you.
- (d) If any request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a request, answer all parts of the request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These requests require supplemental responses consistent with the provisions of the Tennessee Rules of Civil Procedure.

### **DEFINITIONS**

(a) “You” and “your” means Ben Lomand Communications, and any affiliated company providing telecommunications service in the State of Tennessee.

(b) “And” and “or” shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

(c) “Identification” or “identify” when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(d) “Switch” means a device composed of hardware and/or software that establishes, manages and releases physical or virtual connections between two or more points in a voice or data transmission system, regardless of the technology employed (e.g., circuit, wireless,

packet, or IP telephony). A "switch" may also perform other functions that enhance the aforementioned connections by providing additional information to or about the parties or devices that are involved in the connections.

### **DISCOVERY REQUESTS**

1. State all facts upon which you base your allegation that Citizens' tariff at issue offers services below cost.

**RESPONSE:**


2. State all facts upon which you base your allegation that BLC has lost customers and revenue as a result of Citizen's predatory pricing.

**RESPONSE:**

3. In the event that you have not already done so, state all facts to support your allegations that Citizens is offering services below the price floor established by T.C.A. § 65-5-208(c).

**RESPONSE:**

Respectfully submitted,



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Guilford F. Thornton, Jr. (No. 14508)

Charles W. Cook, III (No. 14274)

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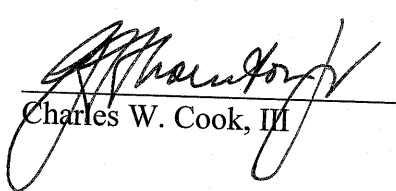
Attorneys for Citizens Telecommunications  
Company of Tennessee, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by facsimile transmission and by first class mail postage prepaid this the 31st day of January, 2003 to:

Don Baltimore  
Farrar & Bates LLP  
211 Seventh Avenue North  
Nashville, Tennessee 37219

Richard Collier  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

  
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Charles W. Cook, III

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